

1 Christina N. Goodrich (SBN 261722)
christina.goodrich@klgates.com
2 Cassidy T. Young (SBN 342891)
cassidy.young@klgates.com
3 K&L GATES LLP
10100 Santa Monica Boulevard
4 Eighth Floor
Los Angeles, CA 90067 Telephone:
5 +1 310 552 5000 Facsimile: +1 310
552 5001

6 *Attorneys for Plaintiff*
7 *Entropic Communications, LLC*

8
9 **UNITED STATES DISTRICT COURT**
10 **CENTRAL DISTRICT OF CALIFORNIA**

11
12 ENTROPIC COMMUNICATIONS, LLC,

13 Plaintiff,

14 v.

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16 DISH NETWORK CORPORATION; *et*
17 *al.*,

18 Defendants.
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Case No. 2:23-cv-1043-JWH-KES

**ENTROPIC'S APPLICATION TO
FILE OPPOSITION TO MOTION
TO DISMISS UNDER SEAL;
DECLARATION OF CHRISTINA
N. GOODRICH IN SUPPORT
THEREOF; [PROPOSED] ORDER**

TO THE COURT, ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

Pursuant to Central District of California Local Rule 79-5.2.2(a), Plaintiff Entropic Communications, LLC (“Entropic” or “Plaintiff”) hereby applies for an order sealing unredacted information referenced in Entropic’s Opposition to the Motion to Dismiss filed by Defendants DISH Network Corporation, DISH Network L.L.C., and Dish Network Service L.L.C. (collectively, “DISH”), which discusses the content of documents marked confidential by DISH.

Each portion of the documents referenced in the chart below have been designated as confidential and/or attorneys’ eyes only (“AEO”) by DISH. (*See* Goodrich Decl. in Support of Entropic’s Application to File Documents Under Seal (“Goodrich Decl.”), ¶ 4.) Entropic, therefore, applies to file such documents and information under seal pursuant to Local Rule 79-5.2.2(a).

The information to be sealed is identified below:

Item to be Sealed Pursuant to L.R. 79-5.2.2(a)	Description of Information
Plaintiff’s Memorandum of Points and Authorities in Support of its Opposition to DISH’s Motion to Dismiss (“Plaintiff’s Memo”) at 1:3.	Contents of a document designated as confidential or attorneys’ eyes only (“AEO”) by DISH.
Plaintiff’s Memo at 6:4–6.	Contents of a document designated as confidential or attorneys’ eyes only (“AEO”) by DISH.
Plaintiff’s Memo at 7:8–13.	Contents of a document designated as confidential or attorneys’ eyes only (“AEO”) by DISH.
Plaintiff’s Memo at 7:18–8:2.	Contents of a document designated as confidential or attorneys’ eyes only (“AEO”) by DISH.
Plaintiff’s Memo at 8:4–7.	Contents of a document designated as confidential or attorneys’ eyes only (“AEO”) by DISH.

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28	Plaintiff's Memo at 8:13–14.	Contents of a document designated as confidential or attorneys' eyes only ("AEO") by DISH.
	Plaintiff's Memo at 8:18–19.	Contents of a document designated as confidential or attorneys' eyes only ("AEO") by DISH.
	Plaintiff's Memo at 9:7–10.	Contents of a document designated as confidential or attorneys' eyes only ("AEO") by DISH.
	Plaintiff's Memo at 9:11–12.	Contents of a document designated as confidential or attorneys' eyes only ("AEO") by DISH.
	Plaintiff's Memo at 9:16–22.	Contents of a document designated as confidential or attorneys' eyes only ("AEO") by DISH.
	Plaintiff's Memo at 10:2–7.	Contents of a document designated as confidential or attorneys' eyes only ("AEO") by DISH.
	Plaintiff's Memo at 10:17–22.	Contents of a document designated as confidential or attorneys' eyes only ("AEO") by DISH.
	Plaintiff's Memo at 10:26–11:1.	Contents of a document designated as confidential or attorneys' eyes only ("AEO") by DISH.
	Plaintiff's Memo at 11:11–12.	Contents of a document designated as confidential or attorneys' eyes only ("AEO") by DISH.
	Plaintiff's Memo at 11:25–12:8.	Contents of a document designated as confidential or attorneys' eyes only ("AEO") by DISH.
	Plaintiff's Memo at 12:11–13:9.	Contents of a document designated as confidential or attorneys' eyes only ("AEO") by DISH.
	Plaintiff's Memo at 13:14–14:26.	Contents of a document designated as confidential or attorneys' eyes only ("AEO") by DISH.
	Plaintiff's Memo at 16:16–17.	Contents of a document designated as confidential or attorneys' eyes only ("AEO") by DISH.

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28	Plaintiff's Memo at 20:2–5.	Contents of a document designated as confidential or attorneys' eyes only ("AEO") by DISH.
	Plaintiff's Memo at 20:13–17.	Contents of a document designated as confidential or attorneys' eyes only ("AEO") by DISH.
	Exhibit C to Plaintiff's Memo.	Document designated as confidential by DISH.
	Exhibit D to Plaintiff's Memo.	Document designated as AEO by DISH.
	Exhibit H to Plaintiff's Memo.	Document designated as AEO by DISH.
	Exhibit J to Plaintiff's Memo.	Document designated as AEO by DISH.
	Exhibit K to Plaintiff's Memo.	Document designated as AEO by DISH.
	Exhibit L to Plaintiff's Memo.	Document designated as AEO by DISH.
	Exhibit M to Plaintiff's Memo.	Document designated as AEO by DISH.
	Exhibit N to Plaintiff's Memo.	Document designated as AEO by DISH.
	Exhibit O to Plaintiff's Memo.	Document designated as AEO by DISH.
	Exhibit Y to Plaintiff's Memo.	Document designated as AEO by DISH.
	Exhibit Z to Plaintiff's Memo.	Document designated as AEO by DISH.

Exhibit BB to Plaintiff's Memo.	Document designated as AEO by DISH.
Exhibit CC to Plaintiff's Memo.	Document designated as AEO by DISH.
Exhibit DD to Plaintiff's Memo.	Document designated as AEO by DISH.
Exhibit GG to Plaintiff's Memo.	Document designated as AEO by DISH.

Pursuant to Local Rule 79-5.2.2(a), Entropic applies to file under seal the documents listed above. Under Rule 79-5.2.2(a), a party may seek leave to file a document under seal so long as the Application describes the nature of the information that should be closed to public inspection and is accompanied by: (1) a declaration establishing good cause why the strong presumption of public access in civil cases should be overcome and informing the Court whether anyone opposes the Application; (2) a proposed order; (3) a redacted version of the relevant documents; and (4) an unredacted version of the relevant documents. Entropic has complied with these requirements. The information that Entropic seeks to seal is contained within documents designated as confidential and attorneys' eyes only by DISH and consists of internal business records. Presumably, DISH marked these documents in this manner because it does not believe that the public has an interest in accessing this confidential information. Additionally, Entropic's request is narrowly tailored to only prevent the public from viewing confidential information. Finally, counsel for DISH indicated that they do not oppose Entropic's Application.

Therefore, compelling reasons exist to seal the highlighted portions of the above documents. *See Aya Healthcare Servs., Inc. v. AMN Healthcare, Inc.*, 2020 WL 1911502, at *5 (S.D. Cal. Apr. 20, 2020) ("The Court agrees that compelling reasons exist to seal references . . . to Defendants' proprietary business records that detail

1 sensitive financial terms, proprietary business strategies, and confidential negotiations
2 and agreements with third parties.”); *In re Qualcomm Litig.*, 2019 WL 1557656, at *3
3 (S.D. Cal. Apr. 10, 2019) (granting motions to seal “confidential business information
4 of the parties, including trade secrets, proprietary business records, discussions of
5 internal strategy, company dealings, and materials designated as ‘Highly
6 Confidential’”).

7 Accordingly, Entropic respectfully requests that this Court order the unredacted
8 documents to be filed under seal. Concurrent with this filing, Entropic has filed redacted
9 versions of these documents with the Court, which only redact information necessary
10 to protect information that DISH has marked as confidential or attorneys’ eyes only.

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12 Dated: September 5, 2023

Respectfully Submitted,

13 By: /s/ Christina N. Goodrich

14 Christina N. Goodrich (SBN 261722)

15 Connor J. Meggs (SBN 336159)

16 **K&L GATES LLP**

10100 Santa Monica Blvd., 8th Fl.

17 Los Angeles, CA 90067

18 Tel.: (310) 552-5547

19 Fax: (310) 552-5001

christina.goodrich@klgates.com

connor.meggs@klgates.com

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21 **ATTORNEYS FOR PLAINTIFF**
22 **ENTROPIC COMMUNICATIONS,**
23 **LLC**
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27
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